STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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April 1, 2013

Jessica Murphy
Seattle Department of Transportation
PO Box 34996
Seattle, WA 98124

RE: Water Quality Certification Order #9829 for U.S. Army Corps of Engineers Public Notice #NWS-2011-778-WRD, Elliott Bay Seawall Project, in Seattle, King County, Washington

Dear Ms. Murphy:

On April 4, 2012, Seattle Department of Transportation submitted a Joint Aquatic Resource Permit Application (JARPA) to the Department of Ecology (Ecology) for a Section 401 Water Quality Certification (401 Certification) under the federal Clean Water Act for the proposed Elliott Bay Seawall project.

On behalf of the State of Washington, Ecology certifies that the work described in the JARPA and the public notice complies with applicable provisions of Sections 301, 302, 303, 306 and 307 of the Clean Water Act, as amended, and applicable state laws. This certification is subject to the conditions contained in the enclosed Order.

If you have any questions, please contact Rebekah Padgett at (425) 649-7129. The enclosed Order may be appealed by following the procedures described in the Order.

Sincerely,

Erik Stockdale

Erik Stockdale, Interim Section Manager
Shorelands and Environmental Assistance Program
Northwest Regional Office

ES:rrp:cja

Enclosure

By certified mail: 7012 1640 0000 6245 9979

cc: Jacalen Printz, U.S. Army Corps of Engineers
Mark Mazzola, Seattle Department of Transportation
Heather Page, Anchor QEA, LLC
Joe Miles, Washington Department of Natural Resources
Derrick Toba, Washington Department of Natural Resources
Laura Arber, Washington Department of Fish and Wildlife
Ben Perkowski, Seattle Planning and Development
Steve Todd, Suquamish Tribe
Glen St. Amant, Muckleshoot Indian Tribe
Jim Muck, US Fish & Wildlife Service/NOAA Fisheries

e-cc: Joe Burcar – NWRO
Russ Olsen – NWRO
Greg Stegman – NWRO
Dawn Marie Maurer – NWRO
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IN THE MATTER OF GRANTING A WATER QUALITY CERTIFICATION TO SEATTLE DEPARTMENT OF TRANSPORTATION in accordance with 33 U.S.C. 1341 (FWPCA § 401), RCW 90.48.120, RCW 90.48.260 and Chapter 173-201A WAC	)))))))	**ORDER #9829** **Corps Reference #NWS-2011-778-WRD** Elliott Bay Seawall Project; Elliott Bay, Seattle, King County, Washington.

TO: Jessica Murphy
Seattle Department of Transportation
PO Box 34996
Seattle, WA 98124

On April 4, 2012, Seattle Department of Transportation submitted a Joint Aquatic Resources Permit Application (JARPA) to the Department of Ecology (Ecology) for a Section 401 Water Quality Certification. A joint public notice regarding the request was distributed by the U.S. Army Corps of Engineers (Corps) for the above-referenced project pursuant to the provisions of Chapter 173-225 WAC on June 1, 2012.

The Applicant proposes to repair and replace 7,112 linear feet of seawall from S. Washington Street to Broad Street along the Seattle Waterfront in two phases (Central Seawall and North Seawall). The replacement seawall would be constructed 10 to 15 feet behind the existing seawall and the existing seawall face would be removed. In addition to the seawall repair and replacement, habitat enhancements in the nearshore would be incorporated into the project, including intertidal habitat benches, substrate enhancements, wall habitat surfaces, and an intertidal beach. Public amenities also would occur, including restoration of the Washington Street Boat Landing and installation of view decks, enhanced viewing areas, riparian planter boxes, and street plantings in various locations along the seawall.

The proposed seawall replacement would be constructed 10 to 15 feet behind the existing seawall, resulting in 1.8 acres of restored aquatic area. The replacement seawall would be structurally supported by means of an anchored soil improvement, which includes a jet-grouted structure to stabilize the soils behind the new seawall and anchors or tie backs that extend down to non-liquefiable soil for seismic stability as necessary.

The entire seawall project would remove 2,220 square feet of existing overwater coverage and install up to 1,570 square feet for new viewing areas, for a net reduction of 650 square feet.

The project is located between S. Washington Street and Broad Street along the Seattle waterfront abutting Elliott Bay, Seattle, King County, Washington, Sections 6, 31, and 36, T. 24 N. and 25 N., R. 4E., WRIA 9.

AUTHORITIES:

In exercising authority under 33 U.S.C. § 1341, RCW 90.48.120, and RCW 90.48.260, Ecology has examined this application pursuant to the following:

1. Conformance with applicable water quality-based, technology-based, and toxic or pretreatment effluent limitations as provided under 33 U.S.C. §§ 1311, 1312, 1313, 1316, and 1317 (FWPCA §§ 301, 302, 303, 306 and 307);

2. Conformance with the state water quality standards contained in Chapter 173-201A WAC and authorized by 33 U.S.C. § 1313 and by Chapter 90.48 RCW, and with other applicable state laws; and

3. Conformance with the provision of using all known, available and reasonable methods to prevent and control pollution of state waters as required by RCW 90.48.010.

WATER QUALITY CERTIFICATION CONDITIONS:

Through issuance of this Order, Ecology certifies that it has reasonable assurance that the activity as proposed and conditioned will be conducted in a manner that will meet the applicable water quality standards and other appropriate requirements of state law. In view of the foregoing and in accordance with 33 U.S.C. § 1341, RCW 90.48.120, RCW 90.48.260 Chapter 173-200 WAC and Chapter 173-201A WAC, water quality certification is granted to the Applicant subject to the conditions within this Order.

Certification of this proposal does not authorize the Applicant to exceed applicable state water quality standards (Chapter 173-201A WAC), ground water standards (Chapter 173-200 WAC) or sediment quality standards (Chapter 173-204 WAC). Furthermore, nothing in this certification shall absolve the Applicant from liability for contamination and any subsequent cleanup of surface waters, ground waters or sediments occurring as a result of project construction or operations.

A. General Conditions:

A1. For purposes of this Order, the term "Applicant" shall mean Seattle Department of Transportation and its agents, assignees and contractors.

A2. For purposes of this Order, all submittals required by its conditions shall be sent to Ecology's Northwest Regional Office, Attn: 401/CZM Federal Project Manager, 3190 160th Avenue SE, Bellevue, WA 98008-5452. Any submittals shall reference Order #9829 and Corps Reference #NWS-2011-778-WRD.

A3. Work authorized by this Order is limited to the work described in the following documents:

- JARPA received by Ecology on April 4, 2012;
- Memorandum from Mark Mazzola, SDOT, to Jacalen Printz, USACE, RE: Elliott Bay Seawall Project: Response to USACE Questions on the JARPA Application, dated April 25, 2012;
- Memorandum from Mark Mazzola, SDOT, to Jacalen Printz, USACE, RE: Elliott Bay Seawall Project (NWS 2011-779-WRD) Response to USACE Questions from May 4, 2012 Letter, dated May 23, 2012;
- Memorandum from Mark Mazzola, SDOT, to Jacalen Printz, Rebekah Padgett, Laura Arber, and Joe Miles, RE: Elliott Bay Seawall Project (NWS-2011-779-WRD) Design Package Update for the JARPA, dated September 7, 2012; and
- Memorandum from Mark Mazzola, SDOT, to Jacalen Printz, Rebekah Padgett, Laura Arber, and Joe Miles, RE: Elliott Bay Seawall Project (NWS-2011-779-WRD) Supplemental JARPA Information, dated February 22, 2013.

The Applicant will be out of compliance with this Order and must reapply with an updated application if the information contained in the JARPA and memoranda is voided by subsequent changes to the project not authorized by this Order.

A4. Within 30 days of receipt of an updated JARPA, Ecology will determine if the revised project requires a new water quality certification and public notice or if a modification to this Order is required.

A5. This Order shall be rescinded if the U.S. Army Corps of Engineers does not issue an individual Section 404 permit.

A6. Copies of this Order shall be kept on the job site and readily available for reference by Ecology personnel, the construction superintendent, construction managers and lead workers, and state and local government inspectors.

A7. The Applicant shall provide access to the project site and all mitigation sites upon request by Ecology personnel for site inspections, monitoring, necessary data collection, and/or to ensure that conditions of this Order are being met.

A8. Nothing in this Order waives Ecology's authority to issue additional orders if Ecology determines that further actions are necessary to implement the water quality laws of the state. Further, Ecology retains continuing jurisdiction to make modifications hereto through supplemental order, if additional impacts due to project construction or operation are identified (*e.g.*, violations of water quality standards, downstream erosion, etc.), or if additional conditions are necessary to further protect water quality.

A9. The Applicant shall ensure that all appropriate project engineers and contractors at the project site have read and understand relevant conditions of this Order and all permits, approvals, and documents referenced in this Order. The Applicant shall provide Ecology a signed statement (see Attachment A for an example) from each project engineer and contractor that they have read and understand the conditions of this Order and the above-referenced permits, plans, documents and approvals. These statements shall be provided to Ecology before construction begins at the project or mitigation sites.

A10. This Order does not authorize direct, indirect, permanent, or temporary impacts to waters of the state or related aquatic resources, except as specifically provided for in conditions of this Order.

A11. Failure of any person or entity to comply with this Order may result in the issuance of civil penalties or other actions, whether administrative or judicial, to enforce its terms.

B. Water Quality Conditions:

B1. Elliott Bay is classified as "Excellent Quality" and the criteria of that class apply except as specifically modified by this Order. This Order does not authorize temporary exceedances of water quality standards beyond the limits established in WAC 173-201A-210(1)(e)(i).

B2. In-Water Construction Water Quality Sampling and Monitoring: A Water Quality Protection and Monitoring Plan (Plan) shall be developed and implemented for both the Central Seawall (Phase I) and North Seawall (Phase II). "In-water construction" is defined as all work below the ordinary high water mark of Elliott Bay.
The Plans shall be submitted to Ecology for review and approval at least 60 days prior to start of in-water work for each phase (Phase I and II).

The Plans shall include the following minimum requirements:

a. Locations of samples: Locations of water quality sampling sites shall be identified and described in the Plans and on a map of the project area. At a minimum, sampling shall take place at the point of compliance as specified in WAC 173-201A-210(1)(e)(i), which allows a 150-foot temporary area of mixing for turbidity resulting from disturbance of in-place sediments in Elliott Bay. Background samples shall be collected outside the area of influence of the in-water work. Background samples shall be collected at the same frequency as the point of compliance samples.

b. Number of samples: Number and frequency of water quality samples to be taken.

c. Parameter to be sampled: Turbidity and pH shall be sampled for this project.

d. Equipment: Sampling for turbidity is to be accomplished using a turbidometer properly calibrated according to the operator's manual.

e. Best Management Practices (BMPs): A description of the BMPs that will be used during construction to protect water quality.

f. Detection of exceedances: Water quality standards for turbidity in "Excellent Quality" waters are as follows: turbidity shall not exceed 5 NTU over background conditions when the background is 50 NTU or less, or a 10 percent increase in turbidity when the background turbidity is more than 50 NTU. If exceedances of this standard at the point of compliance specified in WAC 173-201A-210(1)(e)(i) is detected through water quality sampling and monitoring, the Applicant shall immediately take action to stop, contain, and prevent unauthorized discharges or otherwise stop the violation and correct the problem. After such an event, the Applicant shall assess the efficacy of the site BMPs and update or improve the BMPs used at the work site in an effort to reduce or prevent recurrence of the turbidity exceedance.

g. Reporting: If no exceedances are detected, results of water quality sampling, as determined by the Plan, shall be forwarded to Ecology on a monthly basis in accordance to Condition A2.

h. Notification of exceedances: Notification of exceedances that are detected through water quality sampling shall be made to Ecology within 24 hours of occurrence. Notification shall be made with reference to Order #9829, Attn: 401/CZM Federal Project Manager, by telephone at (425) 649-7129 or (425) 649-7000, or by fax to (425) 649-7098. The Applicant shall, at a minimum, provide Ecology with the following information:

    i. A description of the nature and cause of exceedance.

    ii. The period of non-compliance, including exact dates, duration, and times and/or the anticipated time when the Applicant will return to compliance.

    iii. The steps taken, or to be taken, to reduce, eliminate, and prevent recurrence of the non-compliance.

    iv. In addition, within five (5) days after notification of an exceedance, the Applicant shall submit a written report to Ecology that describes the nature of the exceedance, turbidity results and location, photographs, and any other pertinent information.

B3. Dewatering: A Dewatering Plan for both the Central Seawall (Phase I) and North Seawall (Phase II) shall be developed and implemented. Dewatering of any upland areas landward of the new seawall shall be addressed through the Construction Stormwater General Permit. Dewatering of all areas waterward of the new seawall shall be addressed through the Dewatering Plans under this Order. The Dewatering Plans shall address dewatering activities, water pumped from containment area, and any other in-water activities that are similar to dewatering activities.

The Applicant shall submit the Dewatering Plans for Ecology review and approval per Condition #A2 at least 60 days prior to the start of in-water work for each phase (Phase I and II).

The Plans shall include the following minimum requirements associated with the handling, treatment, and discharge/disposal of the dewatering water and dewatered solids:

a. Handling protocols for dewatering water and dewatered solids, including containment and transport as applicable.

b. Full characterization of dewatering water influent for the purposes of identifying parameters present. Include concentrations at which individual parameters will be identified as pollutants of concern.

c. Treatment system description, including appropriateness of the selected treatment technology for the pollutants of concern. Dewatering water may not be discharged to the Elliott Bay or conveyed to surface waters unless it meets Surface Water Quality Standards (Chapter 173-201A WAC) for pollutants of concern.

d. Monitoring plan for post-treatment effluent to ensure treatment system effectiveness. The plan shall include parameters of concern, frequency of testing, and reporting.

e. Discharge and disposal plan for dewatering water. The method of discharge shall be designed and operated so as not to cause erosion or scour in state waters, banks, or vegetation. Identify disposal contingencies that will be used if the treated dewatering water does not meet standards for discharge to surface waters.

f. Disposal plan for dewatered solids, including testing protocols and identification of appropriate disposal location(s).

g. Corrective actions if indicator levels are exceeded.

All equipment associated with dewatering activities shall be properly operated and maintained.

B4. The Applicant shall submit to Ecology per Condition A2 written approval by the local jurisdiction for any discharge of dewatering water to sanitary sewer.

C. Conditions for Construction Activities:

C1. Applicant shall obtain and comply with a Construction Stormwater General Permit for this project.

C2. Construction stormwater, sediment, and erosion control best management practices (BMPs; *e.g.*, filter fences, etc.) suitable to prevent exceedances of state water quality standards shall be in place before starting construction at the site.

C3. Sediment and erosion control measures shall be inspected and maintained prior to and during project implementation.

C4. All construction debris shall be properly disposed of on land so that it cannot enter a waterway or cause water quality degradation to state waters.

C5. Machinery and equipment used during construction shall be serviced, fueled, and maintained upland, unless otherwise approved by Ecology, in order to prevent contamination to any surface water.

C6. Wash water containing oils, grease, or other hazardous materials resulting from wash down of equipment or working areas shall be contained for proper disposal, and shall not be discharged into state waters or storm drains.

C7. Clean Fill Criteria: Applicant shall ensure that fill (sand) placed for the proposed project does not contain toxic materials in toxic amounts.

C8. Work in or near the water that may affect fish migration, spawning, or rearing shall cease immediately upon a determination by Ecology that fisheries resources may be adversely affected.

C9. The Applicant shall inspect the existing seawall face and underlying timber for voids or holes prior to conducting jet grout or other soil improvement activities.

C10. All voids or holes in the existing seawall shall be filled to the extent practicable prior to beginning jet grout or other soil improvement activities in order to protect water quality. This filling shall be conducted by covering the holes with plywood, steel sheet, or similar material, and then pumping grout at a very low pressure from the inside of the existing seawall.

C11. The Applicant shall direct jets away from the existing seawall during installation of the westernmost row of jet grout columns in order to reduce the potential for discharge of grout to Elliott Bay.

C12. The Applicant shall install a temporary sheet pile containment wall on the waterward side of the existing seawall face prior to soil improvement, upland excavation, and demolition activities in order to protect water quality.

C13. The temporary sheet pile containment wall shall be installed and removed as follows:
a. The containment wall shall be constructed around existing combined sewer overflow outfalls which will be left in place.
b. Gaps within the temporary containment wall shall be sealed to the extent practicable to minimize leakage from behind the containment wall.
c. The containment wall shall be removed at the end of each construction segment/season.

C14. The new seawall shall be installed behind the existing seawall complex, which shall remain in place during construction of the new seawall.

C15. The temporary sheet pile containment wall on the waterward side of the existing seawall face shall remain in place during the removal of the existing seawall in order to protect water quality.

C16. Sediment curtains shall be utilized during in-water work, where feasible, in order to reduce sediment re-suspension.

C17. Habitat bench substrate shall be placed behind the temporary containment wall to the extent practicable.

C18. All in-water placement of habitat and beach material shall be conducted at slow velocities close to the substrate surface to minimize sediment re-suspension.

C19. The Applicant shall use tarps or other containment method when cutting or drilling over water to prevent debris, sawdust, concrete and asphalt rubble, and other materials from entering the water.

C20. During construction, the Applicant shall have a boat available on site at all times to retrieve debris from the water.

C21. All manmade debris that has been deposited below the Ordinary High Water Line within the construction work area shall be removed and disposed of upland such that it does not enter waters of the state. Concrete rubble, metal debris, and other debris in the

construction work corridor that have washed into marine areas shall be removed from the project area.

C22. Project activities shall be conducted to minimize siltation of the beach area and bed.

C23. The Applicant shall operate the barge(s) and tug in deep water so as to minimize nearshore propeller wash impacts such as suspension of nearshore sediments.

C24. Barges shall not be allowed to ground-out during construction.

C25. A Barge Operation Plan shall be developed and implemented. The Barge Operation Plan shall include illustrations and explanation of the dimensions of the barges, barge drafts, whether the barges are self-propelled or guided by a small boat, where and how the barges will be anchored, where the anchors will be set, and BMPs that will be utilized in operation of the barges.

The Applicant shall submit the Barge Operation Plan for Ecology review and approval per Condition #A2 at least 30 days prior to the start of in-water work.

C26. If cast in place, wet concrete/grout shall be prevented from entering waters of the state. Forms for any concrete/grout structure shall be constructed to prevent leaching of wet concrete/grout. Impervious materials shall be placed over any exposed concrete/grout not lined with the forms that will come in contact with state waters. Forms and impervious materials shall remain in place until the concrete/grout is cured.

C27. The Applicant shall avoid disturbing and shall maintain at least a 50-foot buffer around existing Model Toxics Control Act (MTCA) cleanup caps in the project area to the maximum extent practicable. Any disturbance of existing MTCA cleanup caps, including placement of material or driving of the temporary containment wall, shall require prior consultation and approval by Ecology, as well as notification to the monitoring party for the cap(s).

Piling Removal Conditions:

C28. Approximately 75 existing creosote-treated timber and concrete piling will be removed from marine waters. All piling shall be removed by vibratory extraction or barge-mounted/land-based crane. In the event these pilings break off during extraction, the remaining piling shall be cut below the mudline.

C29. Piles, stubs, debris, and all associated excavated sediments shall be contained and prevented from entering waters of the state.

C30. Piles removed from substrate: the pile shall be moved immediately from the water into the barge or onto uplands. The pile shall not be shaken, hosed-off, left hanging to drip or any other action intended to clean or remove adhering material from the pile.

C31. Work surface on the barge deck or on uplands shall include a containment basin for piles and any sediment removed during pulling of the piling. Basins may be constructed of durable plastic sheeting with sidewalls supported by hay bales or support structure to contain all sediment.

C32. The piles and any sediment removed during pulling of the piling shall be disposed of at an approved upland disposal site.

Pile Driving:

C33. The new in-water pilings shall be pre-cast concrete.

C34. The pre-cast concrete pilings shall be installed using a vibratory hammer whenever possible. An impact hammer may be used to proof pile, if needed.

Temporary Containment Wall Sheet Pile Driving:

C35. The temporary sheet pile containment wall shall be steel.

C36. The steel sheet pile containment wall shall be installed using a vibratory hammer whenever possible.

Temporary Containment Wall Sheet Pile Removal:

C37. The temporary sheet pile containment wall shall be removed from marine waters.

C38. Temporary sheet pile containment wall shall be removed by vibratory extraction.

C39. The temporary sheet pile containment wall and any sediment removed during pulling of the sheet pile shall be disposed of at an approved upland disposal site.

D. Long-Term Monitoring Conditions:

D1. Post-construction monitoring for light levels, nearshore vegetation and macroalgae, salmonid presence and behavior, invertebrates, and beach/structural stability shall be conducted per the *Post-Construction Monitoring and Adaptive Management Plan*, (hereafter referred to as the "Monitoring Plan"), dated February 2013, prepared by Tetra Tech, Inc., except as modified by this Order or revised and approved by Ecology.

D2. As-Built Report and Drawings: A report documenting the final design of the beach enhancement project area shall be prepared when site construction is completed. Two copies of the As-Built Report shall be sent to Ecology per Condition A2 within 120 days of completing construction, and in no case later than December 31, 2016, unless approval is obtained in advance from Ecology. The project monitoring period shall commence with Ecology's acceptance of the As-Built Report.

D3. Monitoring: Monitoring to ensure that the project performance standards are met shall be performed as described in the Monitoring Plan. Two (2) copies of all monitoring reports shall be submitted to Ecology per Condition A2.

E. Emergency/Contingency Measures:

E1. The Applicant shall develop and implement a Spill Prevention and Containment Plan for all aspects of this project.

E2. The Applicant shall have adequate and appropriate spill response materials on hand to respond to emergency release of petroleum products or any other material into waters of the state.

E3. Fuel hoses, oil drums, oil or fuel transfer valves and fittings, etc., shall be checked regularly for drips or leaks, and shall be maintained and stored properly to prevent spills into state waters.

E4. Any work that is out of compliance with the provisions of this Order, or conditions causing distressed or dying fish, or any discharge of oil, fuel, or chemicals into state waters, or onto land with a potential for entry into state waters, is prohibited. If these occur, the Applicant shall immediately take the following actions:

a. Cease operations at the location of the violation or spill.

b. Assess the cause of the water quality problem and take appropriate measures to correct the problem and/or prevent further environmental damage.

c. Notify Ecology of the failure to comply. All oil spills shall be reported immediately to Ecology's 24-Hour Spill Response Team at 1-800-258-5990, **and** within 24 hours of spills or other events to Ecology's 401/CZM Federal Project Manager at (425) 649-7129 or (425) 649-7000.

d. Submit a detailed written report to Ecology within five (5) days that describes the nature of the event, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of any samples taken, and any other pertinent information.

Compliance with this condition does not relieve the Applicant from responsibility to maintain continuous compliance with the terms and conditions of this Order or the resulting liability from failure to comply.

F. Timing Requirements

F1. All in-water work shall be completed by the work window identified in the most current Hydraulic Project Approval (HPA) issued for this project. Any project change that requires a new or revised HPA should also be sent to Ecology for review.

F2. This Order is valid until all compliance requirements in this document have been met.

G. Reporting and Notification Requirement Conditions

G1. The Applicant shall provide to Ecology's 401/CZM Federal Permit Manager a copy of the final Corps permit within 2 weeks of receipt of the permit. A copy shall be submitted per condition A2 above.

G2. The Applicant shall provide to Ecology's 401/CZM Federal Permit Manager a copy of the final Hydraulic Project Approval within 2 weeks of receipt of the permit. A copy shall be submitted per condition A2 above.

G3. Applicant shall provide notice to Ecology's 401/CZM Federal Project Manager per Condition A2:

- At least three (3) days prior to the start of construction for each season, and
- Within 14 days after completion of construction at the project site each season.

G4. If the project construction is not completed within 13 months of issuance of this Order, the Applicant shall submit per Condition A2 a written construction status report and submit status reports every 12 months until construction is complete.

YOUR RIGHT TO APPEAL

You have a right to appeal this Order to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this Order. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do both of the following within 30 days of the date of receipt of this Order:

File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.

Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

ADDRESS AND LOCATION INFORMATION

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503 **Pollution Control Hearings Board** 1111 Israel Road SW STE 301 Tumwater, WA 98501	**Department of Ecology** Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608 **Pollution Control Hearings Board** PO Box 40903 Olympia, WA 98504-0903

CONTACT INFORMATION

Please direct all questions about this Order to:

Rebekah Padgett
Department of Ecology
Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008
(425) 649-7129
rebekah.padgett@ecy.wa.gov

MORE INFORMATION

Pollution Control Hearings Board Website
www.eho.wa.gov/Boards_PCHB.aspx

Chapter 43.21B RCW - Environmental and Land Use Hearings Office – Pollution Control Hearings Board
http://apps.leg.wa.gov/RCW/default.aspx?cite=43.21B

Chapter 371-08 WAC – Practice And Procedure
http://apps.leg.wa.gov/WAC/default.aspx?cite=371-08

Chapter 90.48 RCW – Water Pollution Control
http://apps.leg.wa.gov/RCW/default.aspx?cite=90.48

Chapter 173-204 WAC – Sediment Management Standards
www.ecy.wa.gov/biblio/wac173204.html

Chapter 173-200 WAC – Water Quality Standards for Ground Waters of the State of Washington
www.ecy.wa.gov/biblio/wac173200.html

Chapter 173-201A WAC – Water Quality Standards for Surface Waters of the State of Washington
www.ecy.wa.gov/biblio/wac173201A.html

SIGNATURE

Erik Stockdale

Erik Stockdale, Interim Section Manager
Shorelands and Environmental Assistance Program
Northwest Regional Office

4-1-2013

April 1, 2013

ATTACHMENT A

SEATTLE DEPARTMENT OF TRANSPORTATION
ELLIOTT BAY SEAWALL PROJECT
Water Quality Certification Order #9829

Statement of Understanding of
Water Quality Certification Conditions

I have read and understand the conditions of Order #9829 Section 401 Water Quality Certification for the Seattle Department of Transportation Elliott Bay Seawall Project. I have also read and understand all permits, plans, documents, and approvals associated with the project referenced in this Order.

_____ _____
Signature Date

_____
Title

_____
Company